

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

PREM SALES, LLC,

Plaintiff,

v.

GUANGDONG CHIGO HEATING AND  
VENTILATION EQUIPMENT CO., LTD.,

Defendant.

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CIVIL ACTION NO. 5:20-CV-141-M-BQ

**ORDER ACCEPTING THE FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is Defendant Guangdong Chigo Heating and Ventilation Equipment Co., Ltd.'s Motion to Dismiss and Brief in Support of Motion to Dismiss. ECF Nos. 5, 6. The United States Magistrate Judge made Findings, Conclusions, and a Recommendation regarding the motion. ECF No. 13. Plaintiff filed objections on October 8, 2020, and the District Court has made a *de novo* review of those portions of the proposed findings and recommendation to which objection was made. The objections are overruled. Accordingly, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, and Defendant's Motion to Dismiss is therefore **DENIED**. ECF No. 5.

It is **ORDERED** that:

(1) Plaintiff shall immediately commence efforts to serve Defendant under the Hague Convention, in accordance with Federal Rule of Civil Procedure 4(f)(1), and must accomplish service within 20 weeks of the date of this Order.

(2) Plaintiff shall file a status update within 90 days of this Order, informing the Court of its progress and any anticipated delays.

(3) In the event Plaintiff is not able to serve Defendant within the designated timeframe, Plaintiff shall submit evidence to the Court explaining the delay and establishing good cause for granting additional time to complete service. If Plaintiff fails to comply with this Order, the Court will dismiss Plaintiff's claims without prejudice.

**SO ORDERED**, this 14th day of October, 2020.



BARBARA M. G. LYNN  
CHIEF JUDGE